

# RESOLVES

## Second Special Session of the 121st

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### CHAPTER 144 H.P. 1466 - L.D. 1962

#### **Resolve, Regarding Legislative Review of Chapter 23: Standards for Timber Harvesting To Substantially Eliminate Liquidation Harvesting, a Major Substantive Rule of the Department of Conservation**

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 23: Standards for Timber Harvesting to Substantially Eliminate Liquidation Harvesting, a provisionally adopted major substantive rule of the Department of Conservation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is modified to include all changes in the revised rule prepared by the Maine Forest Service, dated April 27, 2004 and submitted to the Joint Standing Committee on Agriculture, Conservation and Forestry on April 26, 2004 and in addition is modified as follows:

1. The definitions section of the finally adopted rule must define "rare natural community" instead of "rare and exemplary natural community," and the definition of "threatened and endangered species" must clarify that plant species are listed by the Maine Natural Areas Program.

2. The exemptions section of the rule, Sec. 5, must be amended in paragraphs E and G for the purpose of allowing these exemptions to apply to landowners with less than 100 acres of forest land statewide and on parcels containing less than 20 acres of forest land, respectively.

The Commissioner of Conservation is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve. At the time of final adoption, the commissioner shall make available to the public a document that allows comparison of the rule provisionally adopted on April 14, 2004 and the rule authorized and finally adopted in accordance with this resolve.

Effective July 30, 2004, unless otherwise indicated.

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